

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, as amended,
(33 U.S.C. 1251 et. seq; the "Act"),

AMAX Inc.

is authorized to discharge from a facility located at Climax, Colorado,

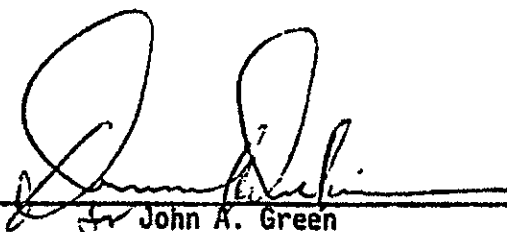
to receiving waters named East Fork, Ten Mile Creek,

in accordance with effluent limitations, monitoring requirements and other conditions set forth
in Parts I, II, and III hereof.

This permit shall become effective on the date of issuance.*

This permit and the authorization to discharge shall expire at midnight, December 31, 1978.

Signed this 31 day of December, 1978


John A. Green
Regional Administrator

*
Thirty (30) days after the date of receipt of this permit by the Applicant.
EPA Form 3320-4 (10-75)

New

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the peak monitoring period immediately and lasting through June 30, 1975, the permittee is authorized to discharge from outfall(s) serial number(s) #001. 1/

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		Concentration ..		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	mg/l Daily Avg	mg/l Daily Max		
Flow—m ³ /Day (MGD)	N/A	N/A	N/A	N/A	Daily or Continuous	2/
Total Suspended Solids	N/A	N/A	N/A	30	Weekly	Grab
Cyanide	N/A	N/A	N/A	0.025	Monthly	Grab
COD	N/A	N/A	20	30	Monthly	Grab
Total Iron	N/A	N/A	1.0	2.0	Monthly	Grab
Total Manganese	N/A	N/A	0.25	1.0	Monthly	Grab
Total Zinc	N/A	N/A	N/A	1.0	2 x Month	Grab
Total Cadmium	N/A	N/A	0.025	0.1	Quarterly	Grab
Total Molybdenum	N/A	N/A	30	N/A	2 x Month	Grab
Fluoride	N/A	N/A	N/A	N/A	Monthly	Grab

Oil and grease shall not exceed 10 mg/l in any single grab sample and shall be monitored with a grab sample.

pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored weekly with a grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):
See Part III, Section G.

- 1/ The above requirements and limitations shall be superseded by the requirements and limitations specified in Part I, Section 1.1, during periods of public use as defined in Part III, Section E.
- 2/ Weir, flume or other accepted instrument or technique.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Continued)

2. During the period beginning July 1, 1975 and lasting through June 30, 1977, the permittee is authorized to discharge from outfall(s) serial number(s) #001. 1/

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		Concentration		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	mg/l Daily Avg	mg/l Daily Max		
Flow—m ³ /Day (MGD)	N/A	N/A	N/A	N/A	Daily or Continuous	2/
Total Suspended Solids	N/A	N/A	N/A	25	Weekly	Grab
Total Molybdenum	N/A	N/A	30	N/A	2 x Month	Grab
Total Iron	N/A	N/A	1.0	2.0	Monthly	Grab
Total Zinc	N/A	N/A	N/A	1.0	2 x Month	Grab
Total Manganese	N/A	N/A	0.25	1.0	Monthly	Grab
Total Cadm	N/A	N/A	0.025	0.1	Quarterly	Grab
Cyanide	N/A	N/A	N/A	0.025	Monthly	Grab
COD	N/A	N/A	20	30	Monthly	Grab
Fluoride	N/A	N/A	N/A	N/A	Monthly	Grab

The oil and grease shall not exceed 10 mg/l in any single grab sample and shall be sampled monthly with a grab sample.

The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored weekly with a grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):
See Part III, Section G.

- 1/ The above requirements and limitations shall be superseded by the requirements and limitations specified in Part I, Section A. 3., during periods of purge as defined in Part III, Section E.
- 2/ Weir, flume or other accepted instrument or technique.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Continued)

3. During the period beginning on the issuance date of this permit and lasting through June 30, 1977, but only during periods of purge as described and limited in Part III, Section E of this permit, the permittee is authorized to discharge from outfall serial number 001.

Such purge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lb/day)		Concentration ..		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	mg/l Daily Avg	mg/l Daily Max		
Flow—m ³ /Day (MGD)	N/A	N/A	N/A	N/A	Daily or Continuous	1/
Total Suspended Solids	N/A	N/A	150	200	Twice Weekly	Grab
Cyanide	N/A	N/A	N/A	0.5	Twice Weekly	Grab
COD	N/A	N/A	30	50	Weekly	Grab
Total Iron	N/A	N/A	N/A	15	Weekly	Grab
Total Manganese	N/A	N/A	N/A	6	Weekly	Grab
Total Zinc	N/A	N/A	N/A	1.0	Weekly	Grab
Fluoride	N/A	N/A	N/A	N/A	Monthly	Grab
Total Molybdenum	N/A	N/A	N/A	N/A	Weekly	Grab

The oil and grease shall not exceed 10 mg/l in any single grab sample and shall be sampled weekly with a grab sample.

The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored twice weekly with a grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):
See Part III, Section G.

1/ Weir, flume or other accepted instrument or technique.

PART I
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Permit No. CO-00C-0248

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Continued)

4. During the period beginning July 1, 1977, and lasting through December 31, 1978, the permittee is authorized to discharge from outfall serial number 001, subject to additional conditions of Part III, Section H.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	Mass Kg/day(lbs/day) Daily Avg.	Mass Kg/day(lbs/day) Daily Max.	Concentration mg/l Daily Avg.	Concentration mg/l Daily Max.	Measurement Frequency	Sample Type
Flow - m ³ /Day (MGD)	N/A	44028 (11.6) ^{2/}	N/A	N/A	Daily/Continuous	1/
Total Suspended Solids	N/A	N/A	N/A	25	Weekly	Grab
Total Molybdenum	182(400)	454(1,000)	N/A	N/A	Weekly	Grab
Total Iron	N/A	N/A	N/A	2.0	Monthly	Grab
Total Zinc	N/A	21.0 (43.1)	N/A	0.5	Biweekly	Grab
Total Manganese	N/A	N/A	0.25	1.0	Monthly	Grab
Total Cadmium	N/A	0.63 (1.4)	N/A	0.015	Quarterly	Grab
Cyanide	N/A	1.1 (2.4)	N/A	0.025	Biweekly	Grab
COD	N/A	N/A	20	30	Monthly	Grab
Fluoride	N/A	N/A	N/A	N/A	Monthly	Grab
Total Copper	N/A	2.2 (4.8)	N/A	0.05	Monthly	Grab
Total Lead	N/A	4.4 (9.7)	N/A	0.1	Monthly	Grab

Oil and grease shall not exceed 10 mg/l in a single grab sample and shall be monitored monthly with a grab sample.

The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored daily with a grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

In addition to the above limitations, total annual discharge of molybdenum shall not exceed 14,075 Kg/yr (31,000 lbs/yr).

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): See Part III, Section G.

1/ Weir, flume or other accepted instrument or technique.

2/ Additional limitations on flow, Part III, Section ii

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:
 - (a) Interceptor canals shall be completed and operational no later than the dates indicated in the following schedule:

(1) Chalk Mountain	July 1, 1975
(2) East Interceptor	December 31, 1976
(3) West Interceptor	July 1, 1976
(4) Clinton Interceptor	December 31, 1976
(5) All other diversions	December 31, 1976
 - (b) Progress reports on the construction and operation of diversion structures shall be submitted to the permit issuing authority semi-annually. The first report shall be due on February 1, 1975.
2. Following completion of the studies required under Part III, Section A, the permittee shall submit to the permit issuing authority no later than July 1, 1975, an implementation plan for an abatement program designed to achieve the effluent limitations specified in this permit for discharge from outfall(s) #001. The implementation plan shall consist of an outline of intended design, construction and operation, including a compliance schedule setting forth the dates by which compliance with the effluent limitations will be reached. The compliance schedule shall include, where appropriate, dates to accomplish the following:
 - (a) completion of preliminary plans
 - (b) completion of final plans
 - (c) award of contract(s)
 - (d) commencement of construction
 - (e) completion of major construction phases
 - (f) completion of all construction
 - (g) attainment of operational level no later than July 1, 1977

B. SCHEDULE OF COMPLIANCE (Continued)

Upon approval of the implementation plan by the permit issuing authority, the schedule of compliance shall become conditions of this permit.

3. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous 3 months shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on April 28, 1975. Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the State at the following addresses:

U.S. Environmental Protection Agency	State of Colorado Department of Health
Suite 900, 1860 Lincoln Street	Water Quality Control Division
Denver, Colorado 80203	4210 East 11th Avenue
Attention: Enforcement - Permits	Denver, Colorado 80220

3. Definitions

- The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the discharge was flowing. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- The "daily maximum" discharge means the total discharge by weight during any calendar day. (See CONTINUATION - next page)

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- The exact place, date, and time of sampling;
- The dates the analyses were performed;
- The person(s) who performed the analyses;

- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the State water pollution control agency.

CONTINUATION

3. Definitions (continued)

b. (continued)

This limitation shall be determined by the analyses of a properly preserved composite sample composed of a minimum of four (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow at the time of sampling.

- c. The "daily average" concentration means the average concentration during a calendar month. Where less than daily sampling is required by this permit, the average concentration shall be determined by the summation of all measured daily samples divided by the number of days during the calendar month when the measurements were made.
- d. The "daily maximum" concentration shall be determined by the analysis of a properly preserved composite sample composed of a minimum of four (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow at the time of sampling.

3. Definitions (continued)

- e. "Net" value, noted under Effluent Characteristics are calculated on the basis of the net increase of the individual parameter over the quantity of that same parameter present in the intake water measured prior to any contamination or use in the process of this facility. Any contaminants contained in any intake water obtained from underground wells shall not be adjusted for as described above and therefore shall be considered as process input to the final effluent. Limitations in which "net" is not noted are calculated on the basis of gross measurements, of each parameter in the discharge irrespective of the quantity or quality of those parameters in the intake waters.
- f. A "composite" sample, for monitoring requirements, is defined as a minimum of four (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow.
- g. The "annual total" discharge means the discharge by weight during any calendar year. The annual total discharge shall be determined by the summation of the monthly discharges by weight for any calendar year. The monthly discharge shall be determined by multiplying the daily average (definition 3.a.) discharge times the number of days of the month a discharge existed. An entire calendar year's data need not be utilized for the purpose of a violation determination if the annual total is exceeded in a shorter period of time.
- h. A "7-day composite" shall be defined as a minimum of daily grab samples collected for a seven day period. Continuous automatic sampling is also acceptable.

A. MANAGEMENT REQUIREMENTS**1. *Change in Discharge***

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. *Noncompliance Notification*

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. *Facilities Operation*

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

4. *Adverse Impact*

The permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. *Bypassing* (See additional requirements under PART III)

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitation and prohibitions of the permit. The permittee shall promptly notify the Regional Administrator and the State in writing of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence, and no date for its implementation appears in Part I,

b. Halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

B. RESPONSIBILITIES**1. Right of Entry**

The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and

b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutant.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State water pollution control agency.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public

inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

PART II III

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9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

OTHER REQUIREMENTS

A. Additional Study

1. The permittee shall initiate and perform a study to determine methods to be employed to achieve the effluent limitation specified for discharge in Part I, Section A. 4.
2. The study shall include the following:
 - (a) A complete system water balance.
 - (b) A pilot program on ion exchange removal of Molybdenum and other metals from process wastewaters.
3. The permittee shall carry out the study in a manner which will result in a progress report on pilot plant operation by April 1, 1975, and a report on full scale feasibility and design by July 1, 1975.

OTHER REQUIREMENTS (Continued)

4. Reports required above shall be submitted to the parties and addresses noted in Part I, Section C. 2., of this permit.

B. Additional Effluent Limitations

There shall be no discharge of pollutants into the East Fork Eagle River, the East Fork Arkansas River or tributaries thereto from the permittee's facility.

C. Exclusions

All point source discharges carrying runoff or snowmelt that are unaffected by disturbed areas within the permittee's facility and contains no process wastewaters shall be excluded from the effluent limitations and monitoring requirements of Part I, Section A.

Disturbed areas shall be defined as the areas disturbed by the permittee's operations including, but not limited to areas from which overburden has been removed, or on which it has been deposited, ore stockpile areas, milling and auxiliary facilities, tailings deposition areas and all other nonpublic areas or facilities.

D. Additional Requirements

The permittee shall maintain and operate all interceptor ditches and canals and other diversions in accordance with Part II, Section A. (3) of this permit.

E. Purge Notification and Operation

1. The permittee shall notify the permit issuing authority a minimum of twenty-four (24) hours prior to the initiation of a purge from the tailings pond. The purge shall be necessitated solely from excess water in the system resulting during spring snowmelt. Any other excessive dis-

OTHER REQUIREMENTS (Continued)

charge shall be considered a bypass and shall be covered by the conditions specified in Part II, Section A. 5., and Part III, Section 3.

The permittee shall notify the permit issuing authority within seven (7) days following the termination of a purge from the tailings pond.

A purge shall be defined as a volume of water of 1,000 acre-feet or more in less than 60 consecutive days, or a proportional quantity for periods of less than 60 consecutive days.

2. The permittee shall take all reasonable steps to minimize the impact of any purge on the receiving water or waters to which the receiving water is tributary, including the following:
 - a. Coordination of the purge with natural stream flows in order to maximize dilution.
 - b. Minimize the total volume and pollutant load of the purge through regulation and drawdown of industrial water supply storage reservoirs prior to the anticipated snowmelt and runoff period.
3. The permittee shall not purge in excess of 60 days per calendar year except where unavoidable to prevent loss of life or severe property damage.
4. Effective July 1, 1977, the permittee shall not purge wastewaters through discharge serial number 001.

F. Additional Bypassing Requirements

If, for other reasons, a partial or complete bypass is considered necessary, a request for such bypass shall be submitted to the State of Colorado and to the Environmental Protection Agency at least sixty (60) days prior to the proposed bypass. If the proposed bypass is judged acceptable by the State of Colorado and by the Environmental Protection Agency, the bypass will be allowed subject to limitations imposed by the State of Colorado and the Environmental Protection Agency.

OTHER REQUIREMENTS (Continued)

If, after review and consideration, the proposed bypass is determined to be unacceptable by the State of Colorado and the Environmental Protection Agency, or if limitations imposed on an approved bypass are violated, such bypass shall be considered a violation of this permit; and the fact that application was made, or that a partial bypass was approved, shall not be a defense to any action brought thereunder.

G. Monitoring Location

Samples taken for compliance with the monitoring requirements and effluent limitations specified in Part I, Section A, shall be taken at the nearest point downstream from the final seepage and lateral drain collection pond (clearwater pond) and upstream from any diluent waters from undisturbed areas or admixture with the receiving stream.

Flow may be measured using the existing Parshall flume.

Notification by the permittee is required within fourteen (14) days of any change in the location of the authorized discharge point, 001. Such notification shall be made to the permit issuing authority and shall be accompanied by a detailed map showing the new location.

H. Discharge Flow Restrictions

Effective no later than July 1, 1977, the relationship between the discharge rate from outfall 001 and the rate of flow in Ten Mile Creek, as measured immediately below the confluence of the East and West interceptors and the original creek bed, shall conform to the values shown below.

<u>Maximum Discharge Rate Outfall 001-CFS</u>	<u>Stream Flow in Ten Mile Creek-CFS</u>
0	Less than 5.0
1.0	5.0 - 12.5
2.5	12.5 - 25.0
5.0	25.0 - 50.0
10	50.0 - 75.0
15	75.0 - 168
18	Greater than 168

The permittee shall measure discharge 001 flow rate and Ten Mile Creek stream flow rate continuously during discharge and report such data in accordance with conditions in Part I, Section C of this permit.

